



PATENT *RCE 2871*
ATTORNEY DOCKET NO.: 046124-5092

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Masayuki HIRANO *et al.*) Confirmation No.: 7669
)
Application No.: 09/943,085) Group Art Unit: 2871
)
Filed: August 31, 2001) Examiner: G. Wang
)
For: X-RAY GENERATING APPARATUS,)
X-RAY IMAGING APPARATUS, AND)
X-RAY INSPECTION SYSTEM)

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, **Mail Stop RCE**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

☐ Previously submitted:

- ☐ Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____. (Any unentered amendment(s) referred to above will be entered).
- ☐ Please consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
- ☐ Other _____.

☒ Enclosed:

- ☒ Preliminary Amendment
- ☐ Supplemental Declaration
- ☐ Information Disclosure Statement Under 37 C.F.R. § 1.56
- ☐ PTO-Form 1449
- ☐ Other _____.

08/19/2003 HVDUNG1 00000074 500310 09943085

01 FC:1801 750.00 DA

1-WA/2036723.1

2. Miscellaneous

- ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- ☐ Other _____

3. Fees Calculation

(a) RCE Fee required under 37 C.F.R. § 1.17(e)

- ☒ \$750.00
- ☐ \$375.00 (for small entity)

(b) Extension of Time

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

	<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month		\$ 110.00	\$ 55.00
<input type="checkbox"/> two months		\$ 400.00	\$200.00
<input type="checkbox"/> three months		\$ 920.00	\$460.00
<input type="checkbox"/> four months		\$1,440.00	\$720.00

Extension of time fee due with this request: \$ ____.

If an additional extension of time is required, please consider this a Petition therefore.

- ☐ An extension for ____ months has already been secured and the fee paid therefore of \$ ____ is deducted from the total fee due for the total months of extension now requested.

(c) Other _____.

The total fee for this submission: \$750.00

4. Fee Payment

- ☐ Check in the amount of \$ _____ filing fee is enclosed.
- ☒ The Director is hereby authorized to charge **\$750.00** (representing the RCE filing fee of \$750.00) to our Deposit Account No. 50-0310.

5. Additional papers enclosed:

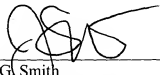
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

If there are any other fees due in connection with this filing, please charge such fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time not accounted for above, then such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: August 18, 2003



John G. Smith
Registration No. 33,818

CUSTOMER NO. 009629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, NW
Washington, D.C. 20004
Telephone: (202) 739-3000
Facsimile: (202) 739-3001



PATENT
ATTORNEY DOCKET NO.: 046124-5092

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Masayuki HIRANO et al.)	Confirmation No.: 7669
)	
Application No.: 09/943,085)	Examiner: G. Wang
)	
Filed: August 31, 2001)	Group Art Unit: 2871
)	
For: X-RAY GENERATING APPARATUS,)	
X-RAY IMAGING APPARATUS, AND)	
X-RAY INSPECTION SYSTEM)	

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, **Mail Stop RCE**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

AMENDMENT FILED WITH RCE UNDER 37 C.F.R. § 1.114

In response to the Office Action dated December 16, 2002, (Paper No. 8), and further to and including the unentered amendment filed on March 12, 2003, a Request for Continued Examination is filed concurrently herewith. Prior to continued examination, please amend the above-identified application as follows.